

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1406 be amended to read as follows:

- 1 Page 1, between the enacting clause and line 1, begin a new
2 paragraph and insert:
3 "SECTION 1. IC 7.1-1-3-5.5 IS ADDED TO THE INDIANA
4 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
5 [EFFECTIVE JULY 1, 2005]: **Sec. 5.5. "Alcohol vaporizing device"**
6 **means a device or machine that mixes:**
7 **(1) liquor; or**
8 **(2) another product containing alcohol;**
9 **with oxygen to produce a vaporized product for the purpose of**
10 **consumption by inhalation.**
11 SECTION 2. IC 7.1-1-3-48.5 IS ADDED TO THE INDIANA
12 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
13 [EFFECTIVE JULY 1, 2005]: **Sec. 48.5. "Vaporized alcohol" means**
14 **a vaporized product that:**
15 **(1) is created in an alcohol vaporizing device;**
16 **(2) contains liquor or another product containing alcohol; and**
17 **(3) is inhaled through the mouth and nose."**
18 Page 19, between lines 24 and 25, begin a new paragraph and insert:
19 "SECTION 39. IC 7.1-5-8-11 IS ADDED TO THE INDIANA
20 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
21 [EFFECTIVE JULY 1, 2005]: **Sec. 11. (a) A person who:**
22 **(1) purchases;**
23 **(2) offers for sale; or**
24 **(3) possesses;**
25 **an alcohol vaporizing device or vaporized alcohol commits**

1 **possession, sale, or purchase of vaporized alcohol paraphernalia,**
2 **a Class A infraction.**

3 **(b) A person who:**

4 **(1) knowingly or intentionally violates subsection (a); and**

5 **(2) has a prior unrelated judgment or conviction under this**
6 **section;**

7 **commits a Class A misdemeanor."**

8 Page 19, between lines 27 and 28, begin a new paragraph and insert:

9 **"SECTION 41. [EFFECTIVE JULY 1, 2005] IC 7.1-5-8-11, as**
10 **added by this act, applies only to acts committed after June 30,**
11 **2005."**

12 Renumber all SECTIONS consecutively.

 (Reference is to HB 1406 as printed February 22, 2005.)

Representative Whetstone